

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAPTOR TRADING SYSTEMS, INC.,

Plaintiff,

v.

BETH, et al.

Defendants.

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 8-21-20**

16-CV-3430 (RA)

WALLACH, et al.,

Plaintiffs,

v.

LARDOS, et al.,

Defendants.

16-CV-5392 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

The parties are hereby directed to submit supplemental letters to the Court further addressing the actions taken by Raptor's Board without notice to Defendants. The letters shall address:

(1) Whether there is case law supporting the contention that board actions are void absent notice to non-voting representatives (as opposed to voting board members).

(2) Whether there is case law involving analogous facts; for example, whether any courts have invalidated a board of directors' actions when the board violated some other procedure—whether mandated by law, the corporation's by-laws, or contract.

(3) Whether Defendants dispute Raptor's assertion that they "specifically requested not to be bothered" about board meetings, as Raptor's General Counsel Alejandro Gil testified in his deposition, and the effect of any such request on the Board's obligations.

The parties shall present legal and factual authority supporting their arguments. If the Raptor by-laws speak to this issue, the parties shall provide citation to the by-laws as well. The letters shall be submitted no later than 3:00 pm on Monday, August 24, 2020.

SO ORDERED.

Dated: August 21, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

RONNIE ABRAMS
United States District Judge